

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

03-MDL-1570 (GBD)(SN)

In Re:

TERROR ATTACKS ON
SEPTEMBER 11, 2001

**IRAN NOTICE
OF AMENDMENT**

-----X

This document relates to:

Ashton, et al. v. al Qaeda Islamic Army, et al., Case No. 02-cv-6977 (GBD)(SN)
Bauer, et al. v. al Qaeda Islamic Army, et al., Case No. 02-cv-7236 (GBD)(SN)

Plaintiffs file this Notice of Amendment with respect to the underlying Complaint in the above-referenced matter, ECF No. 3237, as permitted and approved by the Court's Order of July 10, 2018, ECF No. 4045. Upon the filing of this Notice of Amendment, the underlying Complaint is deemed amended to add the individual(s) listed below (the "New Plaintiff(s)") as plaintiff(s) raising claims against the Islamic Republic of Iran. The underlying Complaint is deemed amended to include the allegations, as indicated below, of (a) the Federal Insurance and Ashton Plaintiffs' Amended Consolidated Complaint Against Defendant, the Islamic Republic of Iran, ECF No. 3237, or (b) the Amended Complaint, Burnett v. Islamic Republic of Iran, No. 15-CV-9903 (GBD)(SN) (S.D.N.Y. Feb. 8, 2016), ECF No. 53. The amendment effected through this Notice of Amendment supplements by incorporation into, but does not displace, the underlying Complaint. This Notice of Amendment relates solely to the Islamic Republic of Iran and does not apply to any other defendant.

Upon filing this Iran Notice of Amendment, each New Plaintiff is deemed to have adopted all factual and jurisdictional allegations of the complaint that has been joined as specified below; all causes of action contained within that complaint; all prior filings in

connection with that complaint; and all prior Orders and rulings of the Court in connection with that complaint.

Additionally, each New Plaintiff incorporates the factual allegations and findings contained in those pleadings and orders filed at Havlish v. Bin Laden, No. 1:03-CV-9848 (GBD)(SN) (S.D.N.Y.), ECF Nos. 263, 294, 295; In re Terrorist Attacks on September 11, 2001, 03-MDL-1570 (GBD)(SN) (S.D.N.Y.), ECF Nos. 2430, 2431, 2432, 2433, 2473, 2515, 2516; and evidence submitted at the proceedings before the Honorable George B. Daniels on December 15, 2011 (ECF No. 2540).

CAUSES OF ACTION

Each New Plaintiff hereby adopts and incorporates herein by reference all factual allegations, jurisdictional allegations, and jury trial demand, including all causes of action against Iran, as set forth in the following complaint [**check only one complaint**]:

- ☒ Federal Insurance and Ashton Plaintiffs' Amended Consolidated Complaint Against Defendant, the Islamic Republic of Iran, ECF No. 3237
- ☐ Amended Complaint, Burnett v. Islamic Republic of Iran, No. 15-CV-9903 (GBD)(SN) (S.D.N.Y. Feb. 8, 2016), ECF No. 53

IDENTIFICATION OF NEW PLAINTIFFS

Each New Plaintiff is or was a survivor of a person who died due to the terrorist attacks of September 11, 2001. For each New Plaintiff, the following chart lists the New Plaintiff's name, the New Plaintiff's residency and nationality, the name of the New Plaintiff's deceased family member, the New Plaintiff's relationship to the decedent, and the paragraph(s) of the underlying Complaint discussing the decedent and/or the decedent's estate.

	New Plaintiff's Name (alphabetical by last name)	New Plaintiff's State of Residency at Filing (or death)	New Plaintiff's Citizenship/ Nationality on 9/11/2001	9/11 Decedent's Name	New Plaintiff's Relationship to 9/11 Decedent	Paragraphs of Complaint Discussing 9/11 Decedent
1	Abbate, Renee	New Jersey	U.S. Citizen	Michael Tanner	Sister	<i>Bauer</i> action ¹ Paragraph 25
2	Abernathy, Gretchen	New Jersey	U.S. Citizen	W. David Bauer, II	Sister	<i>Bauer</i> action Paragraph 5
3	Barrett, Elaine	New Jersey	U.S. Citizen	Donna Giordano	Sister	<i>Bauer</i> action Paragraph 41
4	Bauer, Est. of Dorothy Bauer	New Jersey	U.S. Citizen	W. David Bauer, II	Mother	<i>Bauer</i> action Paragraph 5
5	Bauer, Jacqueline	Pennsylvania	U.S. Citizen	W. David Bauer, II	Daughter	<i>Bauer</i> action Paragraph 5
6	Bauer, Robert G.	Pennsylvania	U.S. Citizen	W. David Bauer, II	Brother	<i>Bauer</i> action Paragraph 5
7	Bauer, Stephen	New Jersey	U.S. Citizen	W. David Bauer, II	Son	<i>Bauer</i> action Paragraph 5
8	Bauer, Virginia	New Jersey	U.S. Citizen	W. David Bauer, II	Wife	<i>Bauer</i> action Paragraph 5
9	Bauer, Sr., Est. of Walter D.	New Jersey	U.S. Citizen	W. David Bauer, II	Father	<i>Bauer</i> action Paragraph 5
10	Bauer, III, W. David	New York	U.S. Citizen	W. David Bauer, II	Son	<i>Bauer</i> action Paragraph 5
11	Bauer-Pollard, Heidi	New Jersey	U.S. Citizen	W. David Bauer, II	Sister	<i>Bauer</i> action Paragraph 5
12	Beamer, Andrew T.	New Jersey	U.S. Citizen	Todd M. Beamer	Son	<i>Bauer</i> action Paragraph 44

¹ *Bauer, et al. v. al Qaeda Islamic Army, et al.*, Case No. 02-cv-7236 (GBD)(SN), herein referred to as *Bauer* action, was consolidated into the *Ashton* action in the *Ashton* First Amended Consolidated Master Complaint filed on 08/01/2003, ECF No. 32.

13	Beamer, David	Ohio	U.S. Citizen	Todd M. Beamer	Father	<i>Bauer</i> action Paragraph 44
14	Beamer, David. P.	New Jersey	U.S. Citizen	Todd M. Beamer	Son	<i>Bauer</i> action Paragraph 44
15	Beamer, Lisa	New Jersey	U.S. Citizen	Todd M. Beamer	Wife	<i>Bauer</i> action Paragraph 44
16	Beamer, Margaret	Ohio	U.S. Citizen	Todd M. Beamer	Mother	<i>Bauer</i> action Paragraph 44
17	Beamer, Morgan K.	New Jersey	U.S. Citizen	Todd M. Beamer	Daughter	<i>Bauer</i> action Paragraph 44
18	Beamer-Sorensen, Michele	Ohio	U.S. Citizen	Todd M. Beamer	Sister	<i>Bauer</i> action Paragraph 44
19	Beatini, Daria	New Jersey	U.S. Citizen	Paul F. Beatini	Daughter	<i>Bauer</i> action Paragraph 46
20	Beatini, Est. of Doris Beatini	New Jersey	U.S. Citizen	Paul F. Beatini	Mother	<i>Bauer</i> action Paragraph 46
21	Beatini, Julia	New Jersey	U.S. Citizen	Paul F. Beatini	Daughter	<i>Bauer</i> action Paragraph 46
22	Beatini, Mark	New Jersey	U.S. Citizen	Paul F. Beatini	Brother	<i>Bauer</i> action Paragraph 46
23	Beatini, Est. of Michael C.	New Jersey	U.S. Citizen	Paul F. Beatini	Father	<i>Bauer</i> action Paragraph 46
24	Beatini, Est. of Michael L.	New Jersey	U.S. Citizen	Paul F. Beatini	Brother	<i>Bauer</i> action Paragraph 46
25	Beatini, Nanda	New Jersey	U.S. Citizen	Paul F. Beatini	Sister	<i>Bauer</i> action Paragraph 46

Dated: December 2, 2021

Respectfully submitted,

BAUMEISTER & SAMUELS, P.C.

/s/ Dorothea M. Capone
COUNSEL FOR PLAINTIFFS
140 Broadway, 46th Floor
New York, NY 10005
Phone: (212) 363-1200
Email: tcapone@baumeisterlaw.com